

FISCAL NOTE

SB 2956 - HB 3353

February 26, 2004

SUMMARY OF BILL: Increases the penalty for simple possession of a controlled substance from a Class A misdemeanor to a Class E felony where the substance possessed was methamphetamine and possession involved the manufacture of such substance for the individual's own use.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$2,493,400/Incarceration*

Decrease Local Govt. Expenditures - Exceeds \$100,000

Decrease Local Govt. Revenues - Exceeds \$100,000

Estimate assumes:

- 500 misdemeanor drug offenders will have their sentences elevated to a Class E felony for possession of methamphetamine.
- of approximately 20,000 simple possession drug convictions, five percent involve methamphetamine and 50% of these cases involve the issue of the manufacture for the individual's own use.
- local government will have a decrease in expenditures exceeding \$100,000 for incarcerating Class A misdemeanor drug offenders and a decrease in local government revenues exceeding \$100,000 from fine assessed and collected.

**Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director